

Kirkpatrick & Lockhart LLP

205334

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

May 6, 2002

VIA HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Edward J. Fishman
202.778.9456
Fax: 202.778.9100
efishman@kl.com

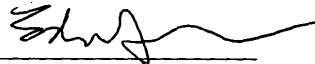


**Re: Finance Docket No. 34192
Petition by Hi Tech Trans, LLC for a Declaratory Order**

Dear Secretary Williams:

The State of New Jersey, Department of Environmental Protection ("NJDEP") is writing to notify the Board that it intends to file a reply to the Motion for Leave to Amend the Petition for Declaratory Order and the Amended Petition for Declaratory Order filed May 3, 2002 by Hi Tech Trans, LLC ("Hi Tech") on or before May 23, 2002 per 49 C.F.R. § 1104.13(a). The amended petition has expanded the purported basis for the relief sought by Hi-Tech and contains several other changes from the initial petition.

Respectfully submitted,
Kirkpatrick & Lockhart LLP
Special Counsel to the NJDEP

By: 
Edward J. Fishman

cc: John McHugh, Esq.
Benjamin Clarke, Esq.
James Martin, Deputy Attorney General
Jonathan M. Broder, Esq.

ENTERED
Office of the Secretary
MAY 07 2002
Part of
Public Record